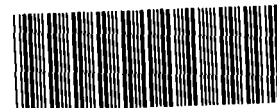


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INTEROFFICE CORRESPONDENCE

DATE: January 24, 1995

5440.1

TO: P. J. Martin, Environmental Restoration Management, Bldg. 080, X8695

FROM: W. A. Moore, Environmental Policy Implementation, Bldg. T130J, X8132

W. A. Moore

SUBJECT: RESPONSE TO ENVIRONMENTAL POLICY IMPLEMENTATION COMMENTS ON
OPERABLE UNIT 7 PROPOSED ACTION MEMORANDUM - WAM-019-95

You have submitted your responses to our comments on the subject document together with a revised version of the document. We note that the proposed action has changed from installation of a French drain to installation of a collection sump. This change would be expected to significantly reduce the area affected by construction and the resulting impacts.

With regard to your individual responses:

Responses to Comments 1 and 2: The fact that the action is required in an agreement between DOE and regulatory agencies is of no concern under the National Environmental Policy Act (NEPA). Courts have held that alternatives to a proposed action must be considered in NEPA documents even if the action is undertaken pursuant to a court order. The revised document considers two alternatives to the proposed action, but still fails to consider the "no action" alternative. The no action alternative is important to consider because it provides a baseline for considering the impacts of the proposed action and the need to take any action at all. As stated earlier, the document needs to be revised to include consideration of the no action alternative.

Response to Comment 3: The new material describing the environmental effects of the proposed action adequately addresses this comment.

Response to Comment 4: The fact that the landfill pond is no longer to be drained as part of this project addresses this comment.

Response to Comment 5: The proposed action, as revised, would produce only about five cubic yards of soil. You have informed us that, after testing, the soil has been found suitable for disposal in the land fill, so that comment is sufficiently addressed.

Because construction of the water collection system would occur in a wetland, wetlands (Jeff Krause) and flora and fauna (Marcia Murdock) experts in Ecology and Watershed Management should be consulted with regard to requirements they may have. It is possible that a wetlands assessment is needed, and various requirements related to threatened or endangered species and migratory birds would need to be complied with.

lmr

cc:

J. D. Krause

S. M. Nesta

P. A. Lee

~~L. J. Peterson-Wright~~

E. C. Mast

File

M. B. Murdock

ADMIN RECCRD